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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,062	11/30/2000	Paul W. Dent	4015-721	2720

24112 7590 03/07/2005

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EXAMINER

POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/727,062	Applicant(s) DENT, PAUL W.	
	Examiner Peter Poltorak	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment, and remarks therein, received on 10/26/04 have been entered and carefully considered.
2. The Amendment introduces two new dependent claims: 20 and 21.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Response to Amendment

4. Applicant's arguments have been carefully considered but they were not found persuasive.
5. As per the argument that references cannot be combined to anticipate a claimed invention under § 102 the examiner advises that the Office Action rejection is only over Windows NT. Each art cited by the examiner refers to Windows NT. Even though the rejection is made over Windows NT the other references are used to show Windows NT characteristics.
6. Applicant argues that there is no data attributable to the "NT Workstation Resource Kit" and that the examiner never attempted to provide one.

The examiner points out that Windows NT has been in public use prior to the application filing date.

Also, the examiner refers applicant to the Office Action, in particular to the cited (*in the rejection header*) "NT Workstation Resource Kit" which is presented as the Internet Archive WayBackMachine reference that identifies the document date as

3/6/2000 (20000306). The similar information could be seen in the reference offered to the applicant (the bottom of the page).

Internet links often expire and the Archive WayBackMachine, (<http://www.archive.org/web/web.php>) is a reliable source of information on the old Internet pages. The pages of interest retrieved using the Archive WayBackMachine contain the date within their URLs (e.g.

<http://web.archive.org/web/20000306015737/http://is-it-true.org/nt/atips/atips71.shtml>).

In case of any additional ambiguity the examiner attaches the official result of "NT Workstation Resource Kit" search in the Internet Archive WayBackMachine.

The applicant is advised that should the applicant wish to retrace the examiner's steps, the "<http://is-it-true.org/nt/atips/atips71.shtml>" link should be placed in the WayBackMachine search engine and the first cited date (*Mar 06, 2000*) should be clicked on.

7. As per the argument that the Office Action is completely devoid of any evidence attributable to *Ozzie* the examiner points to *Ozzie* col. 1 lines 45 – col. 2 line 12 wherein *Ozzie* teaches the Windows NT requiring the user to enter a particular key sequence during information (password) entry (CONTROL-ALT-DELETE) and that this key sequence terminates any application programs which are in operation during the password entry sequence. After the information has been entered correctly, the operating system returns control to the application programs.

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8. As per the argument that the *NT Workstation Resource Kit* is nothing more than a screen shot of a kit apparently available to NT developers the examiner directs applicant's attention to § 1 in *NT Workstation Resource Kit* and § 9 of the Office Action.
9. On page 2 of "Remarks" applicant argues that the rejections "are confusing at best" but applicant offers no specifics. If applicant feels that an interview would be helpful in discussing the rejection the applicant is encouraged to call the examiner and schedule and interview.
10. Applicant's arguments that the Office Action failed to reject claims 6, 11 and 19 for reasons similar to those discussed above is found not persuasive since the reasons discussed above were found not persuasive.
11. Claims 1-21 have been examined.
12. Claims 1- 7, 11, 13-14, 16 and 19 remain rejected under 35 U.S.C. 102(b) as being anticipated by Windows NT as evidenced by Ozzie et al. (Patent No. 5664099), NT Workstation Resource Kit (<http://web.archive.org/web/20000306015737/http://is-it-true.org/nt/atips/atips71.shtml>), Carter (Alan R. Carter, "Windows NT 4.0 MCSE Study Guide", 1997, ISBN: 0764530879) and TechNet (<http://www.mabuse.de/sources/Microsoft%20TechNet%20-%20Securing%20Your%20NT%20Network%20Starts%20With%20the%20Basics.htm>) for the reason discussed in the previous Office Action.
13. Claims 8-10 and 15 and 17-18 remain rejected under 35 U.S.C. 103(a) as being anticipated by Windows NT for the reason discussed in the previous Office Action.

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14..

15. Claim 12 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Zizzi (U.S. Patent No. 6185681) for the reason discussed in the previous Office Action.

16. Claim 12 also remains rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Laing et al. (U.S. Patent No. 5534857) for the reason discussed in the previous Office Action.

17. The new claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being anticipated by Windows NT as evidenced by Ozzie et al. (Patent No. 5664099), NT Workstation Resource Kit (<http://web.archive.org/web/20000306015737/http://is-it-true.org/nt/atips/atips71.shtml>), Carter (Alan R. Carter, "Windows NT 4.0 MCSE Study Guide", 1997, ISBN: 0764530879) and TechNet (<http://www.mabuse.de/sources/Microsoft%20TechNet%20-%20Securing%20Your%20NT%20Network%20Starts%20With%20the%20Basics.htm>) in view of Smeets et al. (U.S. Patent No. 6769062).

18. Windows NT as evidenced by Ozzie et al., NT Workstation Resource Kit, Carter and TechNet teach secure processor and memory as discussed above.

Windows NT as evidenced by Ozzie et al., NT Workstation Resource Kit, Carter and TechNet do not teach a removable security module comprising a smart card and containing the secure processor and the memory.

Smeets et al. teach a removable security module comprising a smart card that contains a secure processor and memory (Smeets et al., col. 3 lines 35-48). It

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would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the secure processor and the memory as taught by Windows NT as evidenced by Ozzie et al., NT Workstation Resource Kit, Carter and TechNet in the security module comprising a smart card as taught by Smeets et al. One of ordinary skill in the art would have been motivated to perform such a modification in order to minimize threat of probing for the illicit purpose of extracting stored secret information.

19. The new claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being anticipated by Windows NT as evidenced by Ozzie et al. (Patent No. 5664099), NT Workstation Resource Kit (<http://web.archive.org/web/20000306015737/http://is-it-true.org/nt/atips/atips71.shtml>), Carter (Alan R. Carter, "Windows NT 4.0 MCSE Study Guide", 1997, ISBN: 0764530879) and TechNet (<http://www.mabuse.de/sources/Microsoft%20TechNet%20-%20Securing%20Your%20NT%20Network%20Starts%20With%20the%20Basics.htm>) in view of Steinberg (U.S. Pub. No. 20030159042).

TechNet do not teach a removable security module comprising a smart card and containing the secure processor and the memory.

Steinberg teaches a removable security module comprising a smart card that contains a secure processor and memory (Steinberg, Abstract and [0017]). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the secure processor and the memory as taught by Windows NT as evidenced by Ozzie et al., NT Workstation Resource Kit, Carter and TechNet

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in the security module comprising a smart card as taught by Steinberg. One of ordinary skill in the art would have been motivated to perform such a modification in order to customize the security module for a particular user.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571)272-3840. The examiner can normally be reached Monday through

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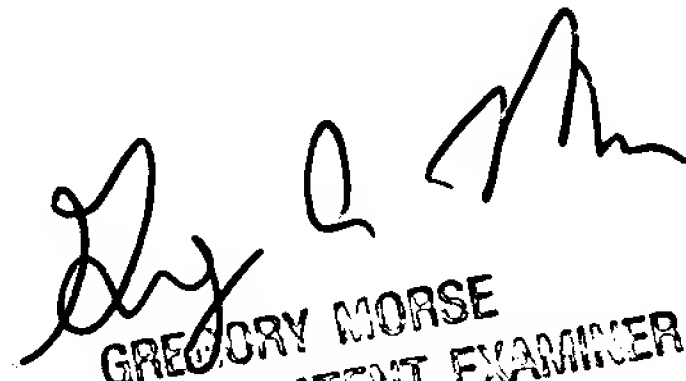
Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Signature


Date


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100